

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**CODY LANE CAGLE  
ADC #175719**

**PETITIONER**

**v.**

**Case No. 4:20-cv-01335-LPR-JTK**

**DEXTER PAYNE  
Director, ADC**

**RESPONDENT**

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerome T. Kearney. (Doc. 2). No objections have been filed. After careful consideration of the Proposed Findings and Recommended Disposition, as well as a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Petitioner Cody Lane Cagle's § 2254 habeas petition (Doc. 1) is DENIED WITHOUT PREJUDICE and this case is DISMISSED WITHOUT PREJUDICE; and
2. a Certificate of Appealability is DENIED. *See* 28 U.S.C. § 2253(c)(1)-(2); Rule 11(a), Rules Governing § 2254 Cases in United States District Courts.

IT IS SO ORDERED this 6th day of January 2021.

  
LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE